

PAGE 03  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re application: **Himmel et al.**Serial No.: **09/942,746**Filed: **August 30, 2001**For: **Telephone Service With Variable  
Party Billing**§  
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§Group Art Unit: **2643**Examiner: **Barnie, Rexford N.**Attorney Docket No.: **AUS920010451US1****Certificate of Transmission Under 37 C.F.R. § 1.8(a)**

I hereby certify this correspondence is being transmitted via facsimile to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, facsimile number (703) 872-9306, on November 12, 2004.

By:

Carrie Parker

Carrie Parker

**RESPONSE TO OFFICE ACTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

No fees are believed to be required. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0447.

In response to the Office Action dated August 12, 2004, please amend the above-identified application as follows:

Listing of Claims begin on page 2 of this paper.

Remarks begin on page 9 of this paper.

**Yee &  
Associates, P.C.**

4100 Alpha Road  
Suite 1100  
Dallas, Texas 75244

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Main No. (972) 385-8777  
Facsimile (972) 385-7766

## Facsimile Cover Sheet

To: Commissioner for Patents for Examiner Rexford N. Barnie Group Art Unit 2643	Facsimile No.: 703/872-9306
From: Carrie Parker Legal Assistant to Wayne P. Bailey	No. of Pages Including Cover Sheet: 14
Message:  Enclosed herewith: <ul style="list-style-type: none"><li>• Transmittal Document; and</li><li>• Response to Office Action.</li></ul>	
Re: Application No. 09/942,746 Attorney Docket No: AUS920010451US1	
Date: Friday, November 12, 2004	
Please contact us at (972) 385-8777 if you do not receive all pages indicated above or experience any difficulty in receiving this facsimile.	<i>This Facsimile is intended only for the use of the addressee and, if the addressee is a client or their agent, contains privileged and confidential information. If you are not the intended recipient of this facsimile, you have received this facsimile inadvertently and in error. Any review, dissemination, distribution, or copying is strictly prohibited. If you received this facsimile in error, please notify us by telephone and return the facsimile to us immediately.</i>

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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on November 12, 2004.

By:

Carrie Parker  
Carrie Parker**35525**PATENT TRADEMARK OFFICE  
CUSTOMER NUMBERTRANSMITTAL DOCUMENTCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

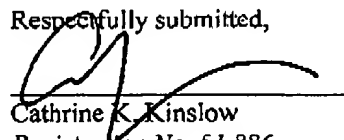
Sir:

ENCLOSED HERewith:

- Response to Office Action.

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Respectfully submitted,

  
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Duke W. Yee  
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